

Nuclear Regulatory Commission

§ 110.31

(2) An exemption from licensing requirements issued by the Commission; or

(3) A general or specific NRC or Agreement State license issued by the Commission or a State with which the Commission has entered into an agreement under Section 274b. of the Atomic Energy Act.

(b) The general license in paragraph (a) of this section does not authorize the import of source or special nuclear material in the form of irradiated fuel that exceeds 100 kilograms per shipment.

(c) Paragraph (a) of this section does not authorize the import under general license of radioactive waste, other than radioactive waste that is being returned to a United States Government or military facility in the United States which is authorized to possess the material.

(d) A person importing formula quantities of strategic special nuclear material (as defined in § 73.2 of this chapter) under this general license shall provide the notifications required by § 73.27 and § 73.72 of this chapter.

(e) A general license is issued to any person to import the major components of a utilization facility as defined in § 110.2 for end-use at a utilization facility licensed by the Commission.

[51 FR 47208, Dec. 31, 1986, as amended at 56 FR 38336, Aug. 13, 1991; 58 FR 13003, Mar. 9, 1993; 60 FR 37564, July 21, 1995; 61 FR 35602, July 8, 1996; 65 FR 70291, Nov. 22, 2000; 68 FR 31589, May 28, 2003]

§ 110.28 Embargoed destinations.

Cuba	Libya
Iran	North Korea
Iraq	Sudan

[58 FR 13003, Mar. 9, 1993, as amended at 61 FR 35602, July 8, 1996; 65 FR 70291, Nov. 22, 2000]

§ 110.29 Restricted destinations.

Afghanistan	India
Andorra	Israel
Angola	Oman
Burma (Myanmar)	Pakistan
Djibouti	Syria

[58 FR 13003, Mar. 9, 1993, as amended at 59 FR 48998, Sept. 26, 1994; 61 FR 35602, July 8, 1996]

§ 110.30 Members of the Nuclear Suppliers Group.

Argentina	Latvia
Australia	Luxembourg
Austria	Netherlands
Belarus	New Zealand
Belgium	Norway
Brazil	Poland
Bulgaria	Portugal
Canada	Republic of Korea
Cyprus	Romania
Czech Republic	Russia
Denmark	Slovak Republic
Finland	Slovenia
France	South Africa
Germany	Spain
Greece	Sweden
Hungary	Switzerland
Ireland	Turkey
Italy	Ukraine
Japan	United Kingdom

[59 FR 48998, Sept. 26, 1994, as amended at 61 FR 35602, July 8, 1996; 65 FR 70291, Nov. 22, 2000]

§ 110.31 Application for a specific license.

(a) A person shall file an application for a specific license to export or import with the Deputy Director of the NRC's Office of International Programs, using an appropriate method listed in § 110.4.

(b) An application for a specific license to export or import must be accompanied by the appropriate fee in accordance with the fee schedule in § 170.21 and § 170.31 of this chapter. A license application will not be processed unless the specified fee is received.

(c) A license application should be filed on NRC Form 7, except that an import license application and a production or utilization facility export license application should be filed by letter.

(d) Each person shall provide in the license application, as appropriate, the information specified in § 110.32. The Commission also may require the submission of additional information if necessary to complete its review.

(e) An application may cover multiple shipments and destinations.

§ 110.32

(f) The applicant shall withdraw an application when it is no longer needed. The Commission's official files retain all documents related to a withdrawn application.

[58 FR 13003, Mar. 9, 1993. Redesignated and amended at 59 FR 48998, Sept. 26, 1994; 65 FR 70291, Nov. 22, 2000; 68 FR 58824, October 10, 2003]

§ 110.32 Information required in an application for a specific license/NRC Form 7.

- (a) Name and address of applicant.
- (b) Name and address of supplier of equipment or material.
- (c) Country of origin of equipment or material, and any other countries that have processed the material prior to its import into the U.S.

(NOTE: This is meant to include all obligations attached to the material, according to the definition of obligations in §110.2. Licensees must keep records of obligations attached to material which they own or is in their possession.)"

(d) Names and addresses of all intermediate and ultimate consignees, other than intermediate consignees performing shipping services only.

(e) Dates of proposed first and last shipments.

(f) Description of the equipment or material including, as appropriate, the following:

(1) Maximum quantity of material in grams or kilograms (curies for byproduct material) and its chemical and physical form.

(2) For enriched uranium, the maximum weight percentage of enrichment and maximum weight of contained U-235.

(3) For nuclear equipment, total dollar value.

(4) For nuclear reactors, the name of the facility and its design power level.

(5) For proposed exports or imports of radioactive waste, and for proposed exports of incidental radioactive material—the volume, classification (as defined in §61.55 of this chapter), physical and chemical characteristics, route of transit of shipment, and ultimate disposition (including forms of management) of the waste.

(6) For proposed imports of radioactive waste—the industrial or other process responsible for generation of the waste, and the status of the ar-

10 CFR Ch. I (1–1–04 Edition)

rangements for disposition, e.g., any agreement by a low-level waste compact or State to accept the material for management purposes or disposal.

(7) Description of end use by all consignees in sufficient detail to permit accurate evaluation of the justification for the proposed export or import, including the need for shipment by the dates specified.

[49 FR 47200, Dec. 3, 1984, as amended at 58 FR 13004, Mar. 9, 1993. Redesignated at 59 FR 48998, Sept. 26, 1994; 60 FR 37564, July 21, 1995; 65 FR 70291, Nov. 22, 2000]

Subpart D—Review of License Applications

§ 110.40 Commission review.

(a) Immediately after receipt of a license application for an export or import requiring a specific license under this part, the Commission will initiate its licensing review and, to the maximum extent feasible, will expeditiously process the application concurrently with any applicable review by the Executive Branch.

(b) The Commissioners shall review a license application for export of the following:

(1) A production or utilization facility.

(2) More than one effective kilogram of high-enriched uranium, plutonium or U-233.

(3) 1,000 kilograms or more of nuclear grade graphite or deuterium oxide (heavy water), other than exports of heavy water to Canada.

(4) An export involving assistance to end uses related to isotope separation, chemical reprocessing, heavy water production, advanced reactors, or the fabrication of nuclear fuel containing plutonium, except for exports of source material or low-enriched uranium to EURATOM or Japan for enrichment up to 5 percent in the isotope uranium-235, and those categories of exports which the Commission has approved in advance as constituting permitted incidental assistance.

(5) The initial export to a country since March 10, 1978 of source or special nuclear material for nuclear end use.